

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

:

Case No. 3:03-cr-080

-vs-

District Judge Thomas M. Rose

Chief Magistrate Judge Michael R. Merz

:

STEVEN A. CANTRELL,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #51), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on September 15, 2005, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that Defendant's Motion to Vacate be denied on the merits. Because the conclusions in the Report and Recommendations would not be debatable among reasonable jurists, Defendant is denied any requested certificate of appealability and leave to appeal *in forma pauperis*.

September 27, 2005.

s/Thomas M. Rose

Thomas M. Rose
United States District Judge